

HB0487/633629/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 487
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Nonconsensual**” and substitute “**Police-Initiated**”; in lines 5 and 7, in each instance, strike “nonconsensual” and substitute “**police-initiated**”; and in line 15, strike “Nonconsensual” and substitute “**Police-Initiated**”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 4, inclusive; in lines 5, 8, 11, 18, and 23, strike “**(3)**”, “**(4)**”, “**(5)**”, “**(7)**”, and “**(8)**”, respectively, and substitute “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, and “**(7)**”, respectively; strike in their entirety lines 14 through 17, inclusive; after line 22, insert:

“(6) “POLICE-INITIATED TOWING” MEANS THE TOWING OR RECOVERY OF A COMMERCIAL MOTOR VEHICLE WHICH WAS AUTHORIZED, REQUESTED, OR DISPATCHED BY THE DEPARTMENT INCLUDING A REQUEST BY AN OWNER OR OPERATOR OF A COMMERCIAL MOTOR VEHICLE.”;

and in line 24, strike “NONCONSENSUAL” and substitute “**POLICE-INITIATED**”.

On page 3, strike beginning with “ADOPT” in line 2 down through “**(3)**” in line 9 and substitute “**REQUIRE A TOW COMPANY APPLYING TO THE DEPARTMENT’S TOW LIST FOR MEDIUM- AND HEAVY-DUTY TOWING TO SUBMIT A RATE SHEET THAT DOES NOT INCLUDE PER POUND BILLING;**

(2) REQUIRE A TOW COMPANY THAT MAKES AN APPLICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION TO BAN THE USE OF PER POUND BILLING BY OCTOBER 1, 2023;

(3) REQUIRE THE DEPARTMENT TO MAKE EACH TOW COMPANY'S RATE SHEET REQUIRED UNDER ITEM (1) OF THIS SUBSECTION AVAILABLE ON REQUEST; AND

(4);

in lines 12 and 18, in each instance, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”; strike beginning with “; AND” in line 14 down through “REQUEST” in line 16; in line 18, strike “APPROVED”; and in the same line, after “RATES” insert “ON THE RATE SHEET SUBMITTED TO THE DEPARTMENT”.

On page 4, in line 1, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”; in lines 13 and 19, in each instance, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”; and in lines 17, 24, and 30, in each instance, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”.

On page 5, in line 4, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”; strike beginning with “THERE” in line 8 down through “(II)” in line 10; in line 11, strike “VEHICLE AND”; in the same line, after “CARGO” insert “IMMEDIATELY TO THE OWNER OR THE OWNER'S AUTHORIZED AGENT”; in the same line, after “SUBSECTION” insert “ON SUBMISSION OF:

1. PROOF OF OWNERSHIP IF THE CARGO DOES NOT BELONG TO THE TRANSPORTATION COMPANY; OR

2. IF THE CARGO BELONGS TO THE TRANSPORTATION COMPANY:

A. A LETTER FROM THE INSURANCE COMPANY STATING THERE IS COVERAGE FOR THE RELEVANT CLAIM OR ACCIDENT AND INCLUDING, AT MINIMUM, A CLAIM NUMBER, POLICY NUMBER, AND POLICY LIMIT; OR

B. IF AN INSURANCE POLICY REQUIRED UNDER ITEM 2 OF THIS ITEM IS NOT HIGH ENOUGH TO COVER THE COST OF THE CARGO CLEAN-UP, A SIGNED LETTER OF GUARANTEE FROM THE TRANSPORTATION COMPANY; AND

(II) THE AUTHORIZED TOW COMPANY SHALL RELEASE THE VEHICLE TO THE OWNER OR THE OWNER'S AUTHORIZED AGENT ON PAYMENT OF 20% OF THE INVOICE BY THE VEHICLE OWNER OR OPERATOR OR THE OWNER'S DESIGNEE.

(3) A PAYMENT UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION DOES NOT ELIMINATE THE REMAINDER OF THE FINANCIAL OBLIGATION TO THE AUTHORIZED TOW COMPANY";

and strike in their entirety lines 12 through 21, inclusive.